

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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SACKS STORAGE, INC., : Civil Action No. 1:04 Cv 11238 MLW  
: .  
: Plaintiff, .  
: .  
: -against- .  
: .  
CSX TRANSPORTATION, : .  
: .  
: Defendant. .  
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The plaintiff, Sacks Storage, Inc., pursuant to Federal Rule of Civil Procedure 41(a), agrees to dismiss the above action against CSX Transportation without prejudice and without costs to either party. Defendant has not appeared, moved or answered.

**PLAINTIFF,  
SACKS STORAGE, INC.**

By:s/David B. Wilson  
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Boston, MA 02108-4044  
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**SO ORDERED:**

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**U.S.D.J.**

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing Voluntary Dismissal of Action was mailed, postage prepaid on July 14, 2004 to CXS Transportation, General Claims, One Bell Crossing Road, Selkirk, NY 12158.

David B. Wilson  
David B. Wilson